

MINUTES OF THE MEETING
OF THE
CITY PLAN COMMISSION

TUESDAY, July 7, 2015

The City Plan Commission held its regular meeting on Tuesday, July 7, 2015 in the Council Chambers on the 26th Floor of City Hall. The following members were:

PRESENT

Ms. Babette Macy	Chairwoman
Ms. Diane Burnette	Member
Ms. Margaret J. May	Member
Ms. Bobbi Baker-Hughes	Member
Ms. Trish Martin	Member
Mr. Coby Crowl	Member

ABSENT

Rev. Stan Archie	Vice Chair
Mr. Enrique Gutierrez	Member

ALSO PRESENT

Ms. Diane Binckley	Assistant Secretary
Mr. Olofu Agbaji	Staff
Mr. Joseph Rexwinkle	Staff
Mr. John Eckardt	Staff
Ms. Ashley Winchell	Staff
Ms. Patty Noll	Staff
Ms. Marty Campbell	Recording Secretary
Ms. Maggie Moran	Legal Counsel
Mr. Wei Sun	Public Works
Mr. Brett Cox	Land Development

Chairwoman Macy called the meeting to order at 9:15 A.M.

RE: **SD 1507, Final Plat, Cerner Trails Campus, First Plat**

APPLICANT/ OWNER: Scott Siemers
Cerner Property Development, Inc.
2800 Rockcreek Parkway
North Kansas City, MO 64117

AGENT: David King
Schmitz King & Associates
18900 W. 158th Street, Suite G
Olathe, KS 66062

LOCATION: Generally bounded by E. 87th Street to the north, I-435 on the west, the Kansas City Southern Railroad on the east, and Bannister Road and E. 93rd Street on the south.

AREA: Approximately 290 acres

REQUEST: To consider approval of a final plat in District UR (Urban Redevelopment), creating five (5) commercial lots and one (1) tract.

Ms. Binckley, Assistant Secretary entered the staff report into the record and stated the applicant, had signed the consent agenda accepting all conditions.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner Crowl moved and Commissioner Martin seconded the motion **APPROVE SD 1507 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the plat be revised to show:
 - a. All corrections identified in the Land Development Division final plat checklist.
 - b. Blanket cross access easement over the entire development.

Condition 2. Through 4. per City Planning & Development, Development Management Division (Olofu Agbaji, Olofu.Agbaji@kcmo.org)

2. Conditions of approval of Ordinance No. 140614 passed by City Council on August 14, 2014, remains effective for this UR development.
3. Further subdivision via the Minor Subdivision Lot Split process allowed for more than five lots.
4. That the developer submit a correspondence from the Water Services Department approving the creation of internal lots as shown by this plat prior to Mylar approval.

Conditions 5. & 6. per City Planning & Development, Plans Review Division (Gary Marker, gary.marker@kcmo.org)

5. That the developer shall show on all the building plan how these buildings will comply with the KCMO Building Code requirements including, but not limited to, exterior wall and opening projections, building utilities, fire protection systems and means of egress issue as they relate to the location the property line running through the building.
6. That the developer show all proposed property lines on all building plans to be reviewed prior to issuance of building permit.

Conditions 7. through 16. per City Planning & Development, Land Development Division (Brett Cox, Brett.Cox@kcmo.org)

7. Further revisions and/or corrections by Land Development Division.
8. That the developer a detailed Macro/Micro Storm Drainage Study showing compliance with the approved and most current Macro Study on file with the City and with current adopted standards in effect at the time of submission, including a detailed analysis and design of the permanent water quantity and water quality BMP's, conveyance systems and sewer services, prior to approval and issuance of any building permits to construct improvements on the site; that the developer verify and/or improve downstream conveyance systems or address solutions for impacted properties due to flow contributions from the site; and that the developer construct any other improvements as required by the Land Development Division as necessary to mitigate impacts from rate, volume and quality of runoff from the proposed site.
9. That the developer submit a letter to the Land Development Division from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, stating the conditions of the sidewalks, curbs, and gutters. The letter must identify areas that are out of repair as defined by Public Works Department in "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB Revised 4/8/09" standards and in Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to recording the plat or obtaining Building Permits, whichever occurs first.
10. That after the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right of way dedications for the planned project without the prior

written consent of the Land Development Division.

11. That the APWA 5600 Stream Buffer Zone boundary be shown and labeled on the final plat and construction plans. If applicable to project, a stand-alone stream buffer easement shall be recorded in the Jackson County Recorder's Office and be submitted along with stand alone stream buffer plans to LDD at 5th Floor of City Hall, as required by the Land Development Division.
12. That the developer shall secure permits to extend sanitary sewers to ensure individual service is provided to all proposed lots and determine adequacy as required by Development Services, prior to recording the plat.
13. That the developer shall secure permits to provide a storm water conveyance system to serve all proposed lots within the development and determine adequacy as required by Development Services, prior to recording the plat.
14. That the developer submit covenants, conditions, and restrictions to the Law Department for approval by the City for the maintenance of any detention areas and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, with each final plat.
15. That the developer submit public improvement plans, including intersection improvements, public streets and storm sewers, sanitary sewers, street lights, road markings, sidewalk, curb and gutter and drive approaches, as applicable, to address all above items direct to the Land Development Division for code compliance review. Obtain all required construction permits from the Land Development Division.
16. That the developer dedicate a minimum of 30' feet of right-of-way on the north side of 93rd St. and construct a half street improvement on the north side to collector street standards including curb and gutter, sidewalk, street lights and storm sewers.

Condition 17. per Water Services Department (Heather Massey, heather.massey@kcmo.org)

17. That the developer extend water main and provide easement as required by the Water Services Department.

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: SD 1509 - Final Plat, 51 Oak Mixed Use Development First Plat

APPLICANT: Leah Fitzgerald
Van Trust Real Estate
4900 Main Street #400
Kansas City, MO 64118
8005 West 110TH Street #210
Overland Park, KS 66210

PROPERTY OWNER/S: The Curators of the University of Missouri
316 University Hall
Columbia, MO 65211

Listed as prior owners on the rezoning case:

Kansas City Young Matrons
51000 Oak Street
Kansas City, MO 64112

AGENT: Lutjen, Inc.
Attn: John Honiotes
1301 Burlington No. 100
North Kansas City, MO 64116

LOCATION: Generally located south of E 51st Street between Brookside
Boulevard and Oak Street

AREA: About 2.05 acres

REQUEST: To consider the approval of a final plat in District MPD (Master
Planned Development) for one mixed use lot.

Ms. Binckley, Assistant Secretary entered the staff report into the record and stated the applicant, had signed the consent agenda accepting all conditions.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner Crowl moved and Commissioner Martin seconded the motion **APPROVE SD 1509 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the developer revise the final plat in the following manner:
 - a. Further recommendations and conditions of the Land Development Division.
2. That the developer submit a storm drainage analysis from a Missouri licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure

permits to construct any improvements required by the Land Development Division prior to recording the plat or issuance of a building permit, whichever occurs first.

3. That the developer submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
4. That the developer verify vertical and horizontal sight distance for the drive connection to N. Oak Street or E. 51st Street and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met.
5. That the developer integrate into the existing streetlight system any relocated existing streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
6. That the developer submit a streetscape plan for approval and permitting by the Land Development Division prior to beginning construction of the streetscape improvements in the public right of way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.
7. That the developer obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
8. That the owner/developer submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
9. That the developer provide acceptable easements and secure permits to relocate sanitary sewers out from under proposed buildings and structures, etc., while continuing to ensure individual service is provided to all proposed lots as required by the Land Development Division prior to recording the plat or issuance of a building permit, whichever occurs first.
10. That the developer make improvements as recommended in the approved traffic impact study, as required by Public Works Department, including:
 - a. Widen Brookside Boulevard and add a southbound left-turn lane at the intersection of Brookside Boulevard and 51st Street extending to the existing median to create a smooth transition,

- b. Widen Brookside Boulevard and add a northbound left-turn lane at the intersection of Brookside Boulevard and 51st Street with a minimum of 50 feet of storage plus appropriate taper,
 - c. Install and upgrade the traffic signals at Brookside Boulevard and 51st Street as necessary to accommodate the intersection improvements and to meet current ADA and Accessible Pedestrian Signal (APS) standards.
- 11. That the developer either install or relocate all water mains, sewers and fire hydrants as required by the Water Services Department.
 - 12. That the developer provide for fire protection as required by the Fire Department.
 - 13. That the developer apply for and receive an encroachment permit for any private use within the public right-of-way.
 - 14. That the developer contribute parkland dedication money at a rate of \$16,907.93 per acre in satisfaction of Section 88-405-17 of the Zoning and Development Code and as anticipated to be as follows:
 - * 170 MF units x 2 persons/unit x 0.006 acres/person = 2.04 acres
 - * 2.04 acres x \$16,907.93 = \$34,492.18
 - 15. That within 30 days of approval of a preliminary development plan by the City Council, the landowner must file with the appropriate recorder of deeds office a statement that such a plan: (1) has been filed with the City Plan Commission; (2) has been approved; (3) that the MPD preliminary development plan is applicable to certain specified legally-described land; and (4) that copies of the plan are on file in the City Development Department. The statement recorded with the recorder of deeds must also specify the nature of the plan, the proposed density or intensity of land use and other pertinent information sufficient to notify any prospective purchasers or users of the land of the existence of such a plan and further include all information as required by Section 88-520-03-H.
 - 16. That the developer submit a final MPD Development Plan for each project or phase of the development to the City Plan Commission prior to issuance of a building permit. The final MPD Development Plan shall meet the development standards of Chapter 88-400 including plan information, property uses, setback distances. lighting (with a photometric study), landscaping, including information on (i) species, planting size, and spacing of all trees and shrubbery, (ii) buildings and dumpster elevation drawings. (iii) fencing, if utilized, identifying material, color, height, setback and type, with an elevation drawing of a section, streetscaping, signage (including elevations), and architectural characteristics.

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: Case No. 13000-P-5

APPLICANT: Shawn Frost
Cerner Properties
2800 Rockcreek Pkwy,
Kansas City, Mo 64117-2551

OWNER: Cerner Properties
2800 Rockcreek Pkwy,
Kansas City, Mo 64117-2551

AGENT: Kathleen Warman
K Warman Architects
1827 Swift, #101
North Kansas City, MO 64116

LOCATION: Generally located on the north side of NE 33rd Terrace,
approximately 120 feet west of NE Chouteau Trafficway.

AREA: About 8.4 acre.

REQUEST: To consider approval of a final plan in District M2-2 (Chapter 80 - M-P (Planned Industrial District)), to allow for the expansion of the utility enclosure (generators and chillers) for the existing data center.

Ms. Binckley, Assistant Secretary entered the staff report into the record and stated the applicant, had signed the consent agenda accepting all conditions.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner Crowl moved and Commissioner Martin seconded the motion **APPROVE Case No. 13000-P-5 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That two (2) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plane coordinate system) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff prior to ordinance request showing:

- a) A revised landscaping plan that meets the requirement of chapter 88-425 in its entirety.
 - b) Full site dimensional plan showing the entire City Plan Commission plan submittal checklist requirement.
 - c) An updated noise study that meets the Chapter 46 requirements in its entirety.
2. That the developer update the previously approved macro storm drainage study for the overall development to address the development amendments along with a detailed Micro study for approval prior to issuance of building permits and make necessary improvements as required by Development Services.
 3. That the developer submit plans for grading, siltation, and erosion control to Development Services for approval and permitting prior to beginning any construction activities.
 4. That the developer secure a site disturbance permit from Development Services prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area exceeds one acre.
 5. That the developer provide a storm water conveyance system to serve all proposed lots within the development and determine adequacy as required by Development Services.

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: Case No. 13590-P-14

APPLICANT/OWNER: Shane Crees
Kansas City Properties & Investments, LLC
10223 N Garfield Ave
Kansas City, MO 64155

LOCATION: Generally located south of NE 96th St and west of N Oak Trfy.

REQUEST: To approve a Chapter 80 Final Plan to allow construction of a 6,572 square foot vehicle sales and service use.

Ms. Binckley, Assistant Secretary entered the staff report into the record and stated the applicant, had signed the consent agenda accepting all conditions.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner Crowl moved and Commissioner Martin seconded the motion **APPROVE Case No. 13590-P-14 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That one (1) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be approved by the Development Management staff (15th Floor, City Hall) prior to building permit:
 - a. To the extent possible, enlarge the storefront area on the east façade and note that the storefront is a clear glass system.
 - b. Work with staff to extend the brick material found on the east and west facades around the north façade at a height consistent with that found on the east and west facades.
 - c. Remove all signage from the plan set and add a note stating that all signage is subject to a sign permit and shall comply with 88-445 of the zoning and development code.
 - d. Revise the lighting plan to show a point by point illumination array demonstrating that illumination levels do not exceed 0.18 footcandles along the east property line as required by the approved preliminary plan.
 - e. Identify the maximum height of all rooftop mechanical equipment and show such equipment screened with the building parapet as required by approved preliminary plan.
 - f. Revise the location of the private curb inlet off of the public storm sewer.

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

Re: Case No. 254-S-304

Applicants: Mark McHenry, Director of Parks and Recreation and
Jeffrey Williams, AICP, Director of City Planning & Development

Mr. Mark McHenry, Director of Parks and Recreation; presented a slide presentation of the project; Boulevard Parkway's history; talked about the Major Street Plan of 2011; approval of the National Park service and how it would enhance the current existing system.

Mr. Jeffery Williams, Planning and Development Director; a great partnership with several agencies specifically the Parks Board to develop a strong framework for standards bringing best practices across the entire City in bringing all of it to be codified.

Ms. Patty Noll, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Mr. Travis (inaudible); talked about the next step with the potential development nodes; he explained the arterials and other streets to be built; also amendments to the major street plan within the Twin Creeks Area which any changes would go to the Transportation Development Committee and then back through the City Plan Commission for the outline of the process.

Mr. Williams stated it would essentially be an overlay and the processes would be expressed to applicants and all processes that would come through City Planning and Development in providing a clear map for applicants.

Commissioner Crowl asked if they were working towards an all-in-one submittal or different sets of documents depending on who needs them.

Mr. Williams stated they were working toward an integrated process not that it would be multiple submissions it was one submission with the understanding that the property would be subject to supplemental regulations and everyone was aware of that. The overall development process would not change but it would certainly recognize that along Parkways and Boulevards sometimes had 3 agencies giving guidance; they were streamlining and standardizing more of those processes.

Chairwoman Macy opened up the discussion to the public.

Mr. Alan Dunham, Kansas City Parks Commission; he supported the amendments; with the parkways, boulevards, fountains and monuments; it would provide the best guidelines for development and preserve the system that was nationally recognized.

Ms. Donna Bolding, 3525 Harrison Blvd; supported those amendments; the Parks and Boulevards connected the whole City, it was a system; having designs in place would continue to unite the City and to maintain residential areas; it was a system and it needed to be looked at how it would impact the City.

Mr. Paul Sanders supported the amendments.

Ms. Rhianna Disoledge, 14001 Lookout Drive; supported the amendments and had been asked to assist in developing those standards since 2013; neighborhood perspective was vital; there had been a compromise and now there was a comprehensive and enforceable code that would preserve what made Kansas City so stunning. The parks and boulevards, parkways and fountains made Kansas City one of the best cities in the nation.

Mr. Eric Bunch, 3601 Wyandotte Street; supported the amendments to the Code.

Ms. Mary Jane Judian, Parks & Recreation Commissioner and strongly supported those amendments.

Ms. Alisha Stevens, Platte County Economic Development Council; they never did come to agreement on some issues which were drive thrus; the direction a building must face; parking; concerns about the 60% transparency and then on the residential side as well which way the buildings must face and whether or not there was additional space between the parkway and the buildings.

Mr. Jim Bowers, White Goss Law firm representing developers; he wanted to address 5 points of concern which would prevent economic development; first, prohibition of parking the front yards

(should be deleted); prohibiting drive thru in front yards should be deleted; third, residential structures for face parkways, should be deleted; number 4 the commercial of 60% transparency on ground level should be deleted; fuels sales made it a special use permit; and in industrial districts the gas and fuel sales should be permitted as elsewhere in the City.

Mr. Brenner Holland, Hunt Midwest; supported Mr. Bowers' comments; they have had a good relationship with Parks and Recreation Department and supported the amendments except for the issues which Mr. Bower had brought up.

Commissioner Crowl asked the percentage of potential development impacted by those standards.

Mr. Holland answered maybe 20%.

Commissioner Martin moved and Commissioner May seconded the motion to **APPROVE Case No. 254-S-304.**

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

Re: Case No. 254-S-309

Applicant: Councilman John Sharp

Request: Amend Chapter 88, Section 88-312, Agriculture

Ms. Diane Binckley Assistant Secretary, stated staff recommended continuance of this matter to the July 21, 2015 docket without fee.

Chairwoman Macy opened up the discussion to the public.

Commissioner Crowl moved and Commissioner Martin seconded the motion to **CONTINUE** this matter to the July 21, 2015 meeting date without fee (Without Testimony – No Quorum Set).

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

Re: Case No. 254-S-308

Sponsor: Councilman Ford

Request: Amending Chapter 88, Section 88-445, Signs, to revise regulations regarding size of outdoor advertising signs, signs exempt from regulation, and abandonment and removal of nonconforming signs.

Ms. Patty Noll, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Commissioner Crowl asked what the issue was with signs in windows and doors; thinking of Minsky's on Barry Road.

Ms. Noll stated exactly; Minsky's; it flashed, blinked; there had been complaints in distracting vehicles turning onto Barry Rd. The attorney's representing the sign companies were concerned about the 15% regulation; so it may not be 15% that they arrived at but it should be something; Antioch Road and Englewood Rd have businesses that had the same window shading but they were set back; but they would like to ensure was that they be not distracting; there shouldn't be digital signs, blinking or flashing; neon signs would be allowed as long as it would meet the 15%.

Chairwoman Macy opened up the discussion to the public.

Mr. David Hyatt, Outfront Media, 2459 Summit; he was speaking on behalf of the ordinance for the cutouts and extensions; since 2013 they hadn't been able to do cutouts or extensions on billboards; a lot of things they do were based on doing cutouts and extensions; they came to them to create advertising that was memorable and fun; the next year they did something of Hosmer sliding into first based; but a lot of the other clients the KC Chiefs, Sporting KC, the Lyric Opera, Union Station, KC Ballet etc. all use those extensions which they haven't been able to use for some time. He showed examples of the work. He was okay with the 15% regulation; but the ordinance now with 33.5% would still be good; they hadn't gotten that big yet, but would like to be allowed to if the opportunity arose, for example the KC Chiefs wanted them to create Arrowhead Stadium which may not come to the 33.5% but it would be large. He would also say they were temporary in nature and not a permanent advertisement; they didn't flash or anything like that.

Ms. Patricia Jensen, White Goss; there on behalf of QuikTrip Corp; she had a couple of issues; one, Councilman Ford sent an email to Maggie Moran and Jeff Williams on June 29th asking that an additional amendment be included in the Ordinance and that was subsequent to her conversation with Councilman Ford regarding canopy signs; they had conversations about those since late last winter; the issue with canopy signs with QuikTrip; visualize their canopies the shorter end of the canopy was usually the end facing the traffic; that was the end of the canopy where QuikTrip wanted to place its QT button sign but also the price of gas. Because it was the shorter end of the canopy those button signs plus the gas price exceed the 10% that was allowed; because it was only measured with the area of that end of the canopy; and if it were on the longer length of the canopy there would be no issue.

The other issue was the concern was the inside the store signage that took place. As Patty indicated that was the first time the City was regulating signage within the building, the business itself. There were many signs within the businesses in the Northland such as Pizza Shoppe, Wendy's, Taco Bell, Hy-Vee that were visible from the right of way that would exceed what staff was proposing as the 15% limit. She believed that area needed further discussion with the local businesses; there had not been any local businesses, if any, that had been engaged in conversation regarding that. She would encourage them to hold back on the in store signage and further engage businesses in that conversation.

Ms. Rhianna Disolitch; the pictures of those cut out signs were really sophisticated and really caught her attention; so she could imagine there would be quite a bit of distraction from drivers looking at those intense signs; she would encourage them to take the approach of going with the 15% cut out instead of the 30% because the larger the cut out the more distracted it is going to be.

Mr. Bill Allen, 812 W. 35th Street; he thought that the distraction was dangerous; anything they could do to reduce the distraction would be a plus may not be a plus for the businesses but they needed to think of the safety of the people first and foremost.

Ms. Noll stated that regarding canopy signage that was the first time she had seen the email from the Councilman Ford; her understanding was that it wouldn't be exactly as she was purposing to allow the short side to have the same amount as the larger side; her understanding was they would allow them to maybe reduce the large side to make up the short side or something along those lines; however we are favorable in including this provision; something to that affect. Regarding the 15%, the main concern right now is the digital and electronic display inside the buildings.

Ms. Maggie Moran stated the concerns were two-fold; one the electronic flashing sign but with the result is that they required transparency of businesses that had windows and when they completely covered the windows and it was being more addressed to that.

Commissioner Baker-Hughes stated she found it very difficult to understand why it would be difficult to do business with signage issues the way they were now; and if they were looking at restricting even more, why was the Downtown Loop allowed to be exempt as well as other Corridors with small businesses that struggled in advertising; everyone knew what they could buy at Wal-Mart, but at the corner small businesses, they really needed to be concerned about not only those drivers but also about how businesses survived; she thought it needed more input from the small businesses.

Commissioner Burnette stated there were two pieces to it and they were lumped together as one; one being signage and the digital and changeable display; a static window stick of some kind and the digital changeable display were two different types of signs; she would rather see it be more control on the digital and changeable displays and then another piece on the static signage.

Commissioner Crowl moved and Commissioner May seconded the motion to **CONTINUE** this matter to the July 21, 2015 meeting date without fee (**With Testimony – Quorum Set: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy**)

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: Case No. 14516-P-1

APPLICANT: City of Kansas City
414 E 12th Street
Kansas City, MO 64106

NEIGHBORHOOD ASSOC ADVOCATES: Hyde Park
Squire Park
Manheim,
Longfellow
Center City
Beacon Hill

LOCATION: Generally the area for the overlay includes the Troost Corridor from 22nd Street on the north, to Volker Boulevard/Swope Parkway on the south, and one half block east and west of Troost Avenue including complete existing parcel depth.

REQUESTS: To consider an amendment to the Troost Overlay District for the Troost Corridor.

Commissioner May recused.

Ms. Diane Binckley, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy opened up the discussion to the public.

Mr. Bill Drummond, 4145 Forest Ave; he was planning on coming before the notice he received in the mail; he disagreed that the overlay was unanimously like from the community; he was a member of the Manheim Park Neighborhood Association; however, he attended all meetings and any Board meeting he could be involved in; he would also like to say his allegations are in

complete accordance with neighbors in his neighborhood and he named a few that had been there at a previous meeting. That Manheim wasn't involved in any discussions or if they had been there wasn't any evidence in the Minutes they keep on their minutes that this topic came up; he would like to request a continuance; design guidelines are good, but to represent this as every community involvement.

Mr. Joseph Stokely, 716 E. 91st Street; attorney for and appearing for Dr. Farod Namen; he stated Dr. Namen had not received any notification; the plan was dated July 1, 2015; he doesn't necessarily support or oppose it but he hasn't had the opportunity to review it and doesn't know how it would affect him.

Ms. JoAnna Owens, Director of Operations at Community Link owning property along Troost in this section; she wanted to support what the gentleman had just said; when they received the mailing about this public hearing was the first that they had heard of any impending guidelines; I would ask for a continuance; they would probably support it but they would like to know what it contained.

Ms. Ashley Stadowsky, 721 E. 73rd Terrace; she supported the design guidelines in the Troost Overlay District; she attending several and the participation of the neighborhoods and City staff was outstanding; there was over 31 hours of meetings with over 200 people attending.

Ms. Angie (inaudible); representing Hyde Park and she supported this project.

Mr. Erick Bunch also supported the project.

Mr. Jim (last name inaudible), Rockhill Association was also in support of this project; this was an important collaboration between City Planning and Development and neighborhood leaders; the process was a result of good work it was transparent.

Mr. Peter Hughes, Center City neighborhood Association; his neighborhood wasn't that involved in this process because he didn't believe they had received any communication on this project; and the information on this project was not available until last Thursday. He met with staff regarding his concerns and he was concerned that one of his properties which were zoned commercial, that under these guidelines, would never be used for commercial use because of the parking requirements are such without going through the Board of Zoning Adjustment and those guidelines would make that property sort of a "white elephant"; he requested a continuance so some of these issues can be hashed out.

Mr. Spark Burkhart; 2808 Charlotte; he had been in this process since the beginning; he felt he had a good understanding of this process from the beginning. He wanted to thank City staff in this process because they had been a go-to body within the City and the planning through this process and couldn't have gone through this process without their support.

This has all been 100% volunteer effort and \$0.00 from the City; the best you can do is the best you can do; they had learned a lot from the last time and had a major event to try to get anyone and everyone into the conversations; if some were missed, it does happen, but it wasn't

intentional and this second process was much bigger with more time expended and we talked with whoever was there, i.e. 4 weeks of intensive meetings to try to get these design guidelines completed, entailing every Monday and Wednesday to detail this subject matter.

He felt there needed to be some certainty on Troost to invest on Troost; so they would know who would be coming in and what they could expect; and what the process had done was done eliminated the uncertainty on who or what would be coming in there and it would make Troost a place all would like to live, work, worship and play and asked the Commissioners move this process forward; it isn't the end of a process but the continuation of a process.

Commissioner Baker-Hughes asked how many parcels were in the 3.2 miles.

Mr. Burkhart couldn't say exactly and neither could Ms. Binckley.

Commissioner Baker-Hughes stated she was asking in reference in concern of the three large property owners that were there and have shared some concerns with communicating with them. She has been shown through experience the difficulty in communicating with property owners in that large of an area.

DISCUSSION:

Chairwoman Macy wanted to applaud this grass root effort and have these people step up for this Corridor and go to work like this is awesome for our community; and she applauded everybody who had worked on this and would 100% support.

Commissioner Martin moved and Commissioner Burnette seconded the motion to **APPROVE Case No. 14516-P-1.**

Motion carried 5-0

VOTING AYE:	Baker-Hughes, Burnette, Crawl, Martin, and Macy
VOTING NAY:	None
RECUSED:	May
ABSENT:	Archie, Gutierrez

RE:	Case No. 13896-SU-1
APPLICANT/ AGENT:	Rhiad Baghdadi RB Architecture 10107 W 105 th Street Overland Park, KS 66217
OWNER:	ARKE LLC 14923 Benson Street Overland Park, KS 66212

LOCATION: 4300 Indiana Avenue - Generally located at the southwest corner of E 43rd Street and Indiana Avenue

AREA: About 0.388 acres

ZONING: B1-1

REQUESTS: To consider approval of a request for a Special Use Permit in District B1-1, to allow for the addition of a gas station to an existing convenience store, plus any necessary variances.

Ms. Diane Binckley Assistant Secretary, stated staff recommended continuance of this matter to the July 21, 2015 docket without fee.

Chairwoman Macy opened up the discussion to the public.

Commissioner Crawl moved and Commissioner Martin seconded the motion to **CONTINUE** this matter to the July 21, 2015 meeting date without fee (Without Testimony – No Quorum Set).

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: **Case No. 5642-SU-24**

APPLICANT: Joe Brogato
Brogoto's Auto & Truck Center, L.L. C.
2837 NE Vivion Road
Kansas City, Missouri 64119

PROPERTY OWNER 3J Properties, LLC
2837 NE Vivion Road
Kansas City, Missouri 64119

AGENT: James C. Bowers, Jr., Esq. c/o Elaine Bowers
White Goss, a Professional Corporation
4510 Belleview Avenue, Suite 300
Kansas City, Missouri 64111

LOCATION: Generally located on the southwest corner of NE Vivion Road and N Chouteau Trafficway

AREA: About 0.8 acres

REQUEST: To consider approval of a special use permit in District B2-2 (Neighborhood Business 2-2) to allow for increased outdoor automobile sales.

Ms. Diane Binckley Assistant Secretary, stated staff recommended continuance of this matter to the September 15, 2015 docket with one \$130.00 fee.

Chairwoman Macy opened up the discussion to the public.

Commissioner Crowl moved and Commissioner Burnette seconded the motion to **CONTINUE** this matter to the September 15, 2015 meeting date with one \$130.00 fee (Without Testimony – No Quorum Set).

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: a) **Case No. 13381-CUP-3**
b) **Case No. 13381-CUP-4**

APPLICANT/ OWNER: Chris Valentine
Trophy Homes, Inc.
6601-A Royal Street
Pleasant Valley, MO 64058

AGENT: Brian Forquer
Lutjen, Inc.
1301 Burlington Street, #100
N. Kansas City, MO 64116

LOCATION: Generally located at the northwest corner of NE Barry Road and N. Brighton Avenue.

AREA: About 45 & 18 acres.

ZONING: Districts R-6 & R-80 (Residential dash 6 & 80).

REQUESTS: a) **Case No. 13381-CUP-3-** To consider an amendment to an existing

Chapter 80 CUP plan in District R-6, (formerly District R1b) to allow for the deletion of 18.12 acres from the plan.

- b) Case No. 13381-P-4** - To consider rezoning the 18.12 acre parcel from District R-6 to District R-1.5 (Residential dash 1.5).

Ms. Diane Binckley Assistant Secretary, stated staff recommended continuance of this matter off docket without fee.

Chairwoman Macy opened up the discussion to the public.

Commissioner Crowl moved and Commissioner Martin seconded the motion to **CONTINUE** this matter **OFF DOCKET** without fee (Without Testimony – No Quorum Set).

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE:

- a. **Case No. 132-S-44**
- b. **Case No. 722-S**
- c. **Case No. 7942-UR-1**

APPLICANT:

- a. Robert D. Long
- b. Land Clearance for Redevelopment Authority
1100 Walnut St, Suite 1700
Kansas City, MO 64106
- c. Clint Evans
Nearing, Staats, Prelogar, Jones (NSPJ)
3515 W 75th St
Prairie Village, KS 66208

OWNER:

Norman School Lofts, LLC
303 Emanuel Cleaver Blvd
Kansas City, MO 64112

LOCATION:

Generally located north of W 36th St between Summit St/Southwest Trafficway and Jefferson St.

REQUEST:

- a. To consider a request to amend the Westport Planning Area Plan, by changing the recommended land use from public/semi-public to residential-urban.

- b. To consider approval of an urban renewal plan, declaring said area to be a blighted and insanitary area in need of redevelopment and rehabilitation pursuant to the Land Clearance for Redevelopment Authority Law of Missouri, said plan to be known as the Norman School Urban Renewal Plan.
- c. To consider rezoning from District R-5 (Residential 5) and District R-1.5 (Residential 1.5) to District UR (Urban Redevelopment), and approval of a preliminary development plan for a multi-unit residential development.

Mr. Joseph Rexwinkle, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. Robert Long, Economic Development Corporation; the Norman School is located in the northwestern portion of the Valentine Neighborhood; he described the area of mixed use; it was listed on the National Historic Places in January, 2014; which allowed for the Federal and State Historic Investment Tax. They are proposing 13.1 million dollar of this building plus two additions on the north side which would create 64 apartments; it is well position to attract new residents in the Valentine Neighborhood; with proximity and easy access to the Downtown, Midtown, Westport and the Country Club Plaza. A blight study was done showing the existing conditions which he explained in detail on the exterior and the interior.

Chairwoman Macy opened up the discussion to the public.

Mr. Jim Martin, 3775 Washington Street; President of Valentine Neighborhood Association; at this point Valentine Neighborhood Association is not in a position to provide an endorsement of the project; we certainly support listing it on the National Historic Register; there were strong concerns about the project density, the parking spaces, parking entrance and the pool location. He explained the concerns of the streets because it wasn't getting in or out of the neighborhood. The parking off street not adequate on Jefferson doesn't have right of ways and the residents depend on parking in the street; this does not have adequate onsite parking and during the neighborhood meeting they were totally opposed to any on street parking. In addition, the pool is located across the parking lot from the apartments being a danger to children and we would have to depend on the control of the managers of the apartments to control the pool access; it is too close to residences.

Commissioner May asked what their neighborhood association likes to see done with this site.

Mr. Martin stated they didn't have a specific recommendation; we talked about various options over the years; the main concern is the high density and the high traffic; there had been proposals for senior housing, but do not have any specifics.

Ms. Jennifer Larson, 3601 Jefferson Street; she would like to see senior housing to answer the last question; we would like to encourage more owner occupied than rental; the biggest concern is the density does not fit; low density is the norm in this area.

Mr. Jay Mobray, 800 W. 35th the Highland neighborhood; density is also the major concern; the traffic is a major concern; there was 100 cars per day and their driveways are used to turn around; if anything, there needs to be a left handed turn lane to Westport.

Mr. Tom Mullencamp, 3605 Jefferson Street; he shared many of the concerns as the previous testimonies; and these concerns are valid.

Mr. Bill Allen also concerned with the parking and traffic; and opposes the project; it's a one-way street now as it exits; what will happen with new residents and then the people that already live there.

Mr. Klint Evans, NSPJ Architects responded to the concerns of the public's testimony; National Historic had been working very closely with them; they had requested certain criteria in this project which they had complied with especially with primary elevations; he explained the parking and the way the site plan was situated; one of their important ideas was to get as much green space around the building as possible. They felt this was the best approach to the building based on other schools that sit so far back that its front yard there is really no backyard they wanted to create a "centerpiece" in the neighborhood they hopefully would be a good asset to that area.

DISCUSSION:

Commissioner Burnette asked when the developer purchased the school from the district it wasn't through the repurposing process right.

Mr. Long stated that the developer had always been interested in this property and purchased it in 2006.

Commissioner Burnette asked why not look at the neighborhood as a whole rather than picking a site and trying to put a high density site in the neighborhood.

Mr. Evans responded it is not a question of density it is what the market is airing right now; there is a large trend now is the living in a quality structure especially a historic structure and it is becoming the new trend in multi-family.

Chairwoman Macy asked about the parking and the pool; is it because you have to keep it historic?

Mr. Evans responded it did; (inaudible; to soft spoken.)

Commissioner Burnette asked about the Mid-Town Area Plaza Plan that was in the works now has a recommendation for this site; the last thing she would like to do is amend the Plan that is

now working on or it was just adopted; the Westport Plan is from 1972, which the time has passed and things have changed; but the Mid-Town Plaza Plan is right now and we are already talking about not following the recommendations; why would we consider this high of a density happen when the Mid-Town Plaza Plan is saying “medium”.

Chairwoman Macy asked why, as a staff person, would recommend that high of density now.

Mr. Rexwinkle responded that even if there weren't any building additions; the units within the existing building would exceed that density and it would be a matter of repurposing the building itself.

Commissioner May asked if they did give any consideration to the senior housing idea which would also address some of the parking issues.

Mr. Evans responded on behalf of the ownership this is purely market driven.

Commissioner May was concerned more about the need for different types of housing; the population is aging and there is a demand for more senior housing; since that is something that the people in the area would welcome; it might be a way to reach a compromise.

Commissioner Baker-Hughes asked about the projected rental range.

Mr. Evans responded it would be market rate, \$1200 to \$1600.

Chairwoman Macy stated she respected their work but she felt she was being hindered by the federal tax they could receive to make it work, the rent to charge to fit and the other requirements and she was concerned this was not a good fit for this neighborhood. When we repurpose these buildings there is a lot of input from the public and what makes sense for the neighborhood and she felt this density didn't fit with what the neighborhood would make work; she understood if it were more of a fit with Southwest Trafficway; but the exit and the direction it was going into the neighborhood; for her, she would vote against this project as far as the fit within the neighborhood.

Commissioner Martin stated she had concerns about the level of traffic; was there a traffic study done.

Mr. Wei Sun, Public Works, answered no there wasn't one done. There was no need for a traffic study.

Commissioner Martin stated she didn't think this was a good fit for the neighborhood; like a square peg in a round hole.

Commissioner May also stated she was not comfortable with it.

Commissioner May moved and Commissioner Martin seconded the motion to **DENY Case No. 722-S; Case No. 132-S-44; and Case No. 7942-UR-1**

Motion carried 5-1

VOTING AYE: Baker-Hughes, Burnette, Martin, May, and Macy

VOTING NAY: Crowl

ABSENT: Archie, Gutierrez

RE: a. **Case No. SD-1506 – Walnut Addition (formerly Walnut Grove)**

b. **Case No. SD-1506A – Walnut Addition (formerly Walnut Grove)**

APPLICANT/OWNER: Steve Wilson
4728 Holly, LLC
2100 W 49th St
Westwood Hills, KS 66205

AGENT: Renaissance Infrastructure Consulting
207 S 5th St
Leavenworth, KS 66048

LOCATION: Generally located at northeast corner of E 83rd St and Walnut St.

REQUESTS: a. To consider approval of a preliminary plat creating two (2) residential lots.
b. To consider approval of a final plat creating two (2) residential lots.

Mr. Joseph Rexwinkle, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. Roger Dill, agreed with staff's presentation and recommendations.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner Crowl moved and Commissioner Baker-Hughes seconded the motion to **APPROVE SD1506 and Case No. 1506A SUBJECT TO THE FOLLOWING CONDITIONS:**

Case No. SD1506 – Walnut Addition - To consider approval of a preliminary plat for two (2) residential lots.

1. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
2. That the developer is responsible for payment in lieu of parkland dedication in the amount of \$750.71 prior to recording the final plat. Such fee is based upon the formula established by 88-405-17-A.

Case No. SD1506A – Walnut Addition - To consider approval of a final plat for two (2) residential lots.

That the developer is responsible for payment in lieu of parkland dedication in the amount of \$750.71 prior to recording the final plat. Such fee is based upon the formula established by 88-405-17-A.

Motion carried 5-0

VOTING AYE: Baker-Hughes, Crawl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Burnette, Gutierrez

RE: a. **Case No. 691-S-3**
b. **Case No. 12419-MPD-3**

OWNER/APPLICANT: Quik Trip Corporation
5725 Foxridge Dr
Mission, KS 66202

AGENT: Patricia R. Jensen
White Goss
4510 Belleview Ave, Suite 300
Kansas City, MO 64111

LOCATION: Generally located at north of NE 96th St and west of N Oak Trafficway

REQUESTS:

- a. To amend the Gashland Nashua Area Plan by changing the recommended land use from mixed use neighborhood and residential, medium density to mixed use neighborhood and residential, medium-high density.
- b. To consider rezoning from District R-80 (Residential 80) to District MPD (Master Planned Development), and approval of a preliminary development plan for a 63,000 square feet of commercial development and a 168 residential units, which also

serves as the preliminary plat.

Mr. Joseph Rexwinkle, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Ms. Patricia Jensen, White Goss Law firm there on behalf of the QuikTrip Corporation and Mr. Mike Falcut with QuikTrip Corporation; agreed with staff recommendations; they would also agree to put deed restrictions on certain land uses.

Chairwoman Macy opened up the discussion to the public.

Mr. Tony Wilks, 9717 N. Kinley Court; he had handouts; they had talked about parkway standards, boulevards and many things that come into play; may consider this a parkway; he went back through the county records and some of the covenants and restrictions had been filed with the City and had noticed there were some covenants and deed restrictions that had been placed regarding opening space on tracts of land immediately adjacent to this property now under consideration.

A concern was whether or not 96th Street is in fact Tiffany Springs Parkway; in 2012 there were provisions made to make 96th Street a Parkway from 169 over to Woodland which is in the process of becoming a Parkway which was included in the Northland Gashland Plan adopted by the City Council. The major street plan does not include this as a major parkway so therefore it is only 96th Street was the statement which had been brought up to him; he looked at the Ordinance of the City Council in 2011 regarding the major street plan and he noticed there was a provision in there that when the City adopted an area plan and the arterial changes to the street they major street plan also needs to be updated. There were a lot of people who consider this a Parkway.

There was also a concern of how many convenience stores and gas stations within ½ mile radius; he counted 7.

Another issue that should be addressed is the bike system and the trail system that was already there along Tiffany Springs Parkway ties into future improvement but the traffic that would happen at this corner would be a safety concerns and/or hazards especially with the pedestrian traffic that already existed.

Lastly there was the storm water drainage which other neighbors presented to him and any future development and requested this to be continued until the issues are resolved.

Chairwoman Macy asked staff to explain the area plan.

Mr. Rexwinkle responded there was a recommendation in the area plan adopted in 2012 that the language doesn't propose this parkway or this segment of the road; and as all area plans have was an implementation schedule and the years 3 through 5 is when this is suggested to be

implemented and it is the 3rd now and at that point where it was intended to be brought up for discussion. It isn't a Parkway now it is a street.

Ms. Joyce Allen, 404 NE 97th Terrace; she wanted this to be continued to avoid the fast track of development; she passed out photos of the area; she stated that the Parkway standards are beginning to be implemented on 96th, i.e. the parkway lighting, the medians, the wide sidewalks and the signage all reflects it being a parkway.

Ms. Beth Wilkes and Mr. Kerez (representing her mother), main concern was the increased traffic and the safety of pedestrians.

Mr. Wei Sun stated that 96th Street is a City street it doesn't belong to the Parks Board; currently Public Works is maintaining 96th Street; and he didn't know what it would take to transfer a street from the City to the Parks Board that would probably require a City-wide vote.

Ms. Patricia Jensen responded that QuikTrip did its due diligence on this being a street rather than a Parkway before entering into a contract to purchase the real estate; it is clearly not a parkway and all responsible parties at City Hall determined that clearly. We are not changing the area plan at this time; this proposed Phase I conforms to the Gashland Area Plan.

Commissioner Martin asked if they would be closing the QuikTrip to the south.

Ms. Jensen responded yes but would find a new tenant that would fit in with the area.

Chairwoman Macy asked Kyle Elliott, a long range planner to speak to 96th Street/Parkway.

Mr. Elliott he worked on the Gashland Area Plan; there was a conversation about how far to the west to extend Tiffany Springs Parkway; under construction at the time were 169 to North Oak; since that time they had constructed a 4-lane roadway under parkway standards. The real piece came when there was a two-lane road not constructed to City standards and how to improve that section of roadway. The plan considered that whole section from 169 east to Woodland Parkway; in the plan it was suggested to do that within 3 to 5 years on the back of the plan; but there isn't any time implementation.

Commissioner May wasn't comfortable in moving forward with this in anticipation of what would happen and how the residents feel about it.

Chairwoman Macy stated she was concerned about the timing of it; that if they approve this then a month later it turns into a Parkway; based on the approval of the revised Ordinance for Boulevards and Parkways from that morning.

Ms. Jensen stated with all due respect they had done their due diligence in the purchase of this property as well as being under time constraints regarding the purchase of this site; they need to move forward.

Commissioner May moved and Commissioner Martin seconded the motion to **CONTINUE Case No. 691-S-3 OFF DOCKET** without fee (With Testimony – Set Quorum: Baker-Hughes, Crowl, Martin, May, and Macy)

Motion carried 4-1

VOTING AYE: Baker-Hughes, Martin, May, and Macy
VOTING NAY: Crowl
ABSENT: Archie, Burnette, Gutierrez

Commissioner May moved and Commissioner Martin seconded the motion to **CONTINUE Case No. 12419-MPD-3 to the July 21, 2015 meeting date** without fee

Commissioner Crowl stated he felt that this needed to be addressed today.

Motion failed 2-3

VOTING AYE: Martin, May
VOTING NAY: Baker-Hughes, Crowl, and Macy
ABSENT: Archie, Burnette, Gutierrez

Commissioner Crowl moved and Commissioner Baker-Hughes seconded the motion to **APPROVE Case No. 12419-MPD-3 SUBJECT TO THE FOLLOWING CONDITIONS:**

Motion carried 3-2

VOTING AYE: Baker-Hughes, Crowl, and Macy
VOTING NAY: Martin, May
ABSENT: Archie, Burnette, Gutierrez

RE: Case No. 1707-V

APPLICANT: Michael Fischer
Briarcliff
1300 NW Briarcliff Parkway
Kansas City, MO 64150

LOCATION: generally located at NW Tullison Rd. and N Hickory St., South of Hwy 9 and West of US 169 Hwy

REQUEST: a request to vacate generally located at Park Drive and Hickory, south of NW Tullison Road and west of Highway 169.

Ms. Ashley Winchell, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant they agreed with the staff report.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner Burnette moved and Commissioner Baker-Hughes seconded the motion to
APPROVE Case No. 1707-V SUBJECT TO THE FOLLOWING CONDITIONS:

1. That a full-width utility easement be retained.
2. That any existing facilities within the right of way be protected.
3. That any fire hydrant present will remain operable, maintained and available for immediate use by the Fire Department.

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: Case No. 13896-SU-1

APPLICANT/ AGENT: Riad Baghdadi
RB Architecture
10107 W 105th Street
Overland Park, KS 66217

OWNER: ARKE LLC
14923 Benson Street
Overland Park, KS 66212

LOCATION: 4300 Indiana Avenue - Generally located at the southwest corner of E 43rd Street and Indiana Avenue

AREA: About 0.388 acres

ZONING: B1-1

REQUESTS: To consider approval of a request for a Special Use Permit in District B1-1, to allow for the addition of a gas station to an existing convenience store, plus any necessary variances.

Ms. Diane Binckley Assistant Secretary, stated staff recommended continuance of this matter to the July 21, 2015 docket without fee.

Chairwoman Macy opened up the discussion to the public.

Commissioner Crowl moved and Commissioner Martin seconded the motion to **CONTINUE** this matter to the July 21, 2015 meeting date without fee (Without Testimony – No Quorum Set).

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: Case No. 6029-MPD-30 (Advertised as MPD-29)

APPLICANT: Tiffany Square Real Estate, LLC
Attn: Michael F. Flanagan
7611 State Line Road
Kansas City, MO 64114

PROPERTY OWNER: Timothy J. Kelley, Tiffany Square, Inc.
7500 W. 95th Street
Overland Park, KS 66212

**APPLICANT'S
REPRESENTATIVE:** NSPJ Architects
Attn: Timothy Homburg
3515 W. 75th Street, Suite 201
Prairie Village, KS 66208

AREA: About 14.98 acres

LOCATION/REQUEST: About 15 acres generally located on the east side of N Ambassador Drive between NW Old Tiffany Springs Road on the north and NW 88th Street on the south, to consider rezoning from District R-2.5 (Residential 2.5) to District MPD (Master Planned Development) and approval of a development plan that serves as a Preliminary Plat for skilled nursing, independent living, retail and office uses.

Mr. John Eckardt, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. Mark (inaudible); 3100 Broadway and Mr. Leo Harris, Development Director; they were in agreement with the conditions and staff report; Phase I and II will be built simultaneously; the III Phase is still in the planning stages.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner May moved and Commissioner Baker-Hughes seconded the motion to
APPROVE Case No. 6029-MPD-30 SUBJECT TO THE FOLLOWING CONDITIONS:

1. That three (3) collated, stapled and folded copies (and a CD containing a pdf file,) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff (15th Floor, City Hall), prior to ordinance request showing:
 - a. Provide additional storm sewer easement over existing 84" CMP to provide 15 ft from center of pipe.
 - b. Show concept of Stormwater Management for the site.
 - c. Clearly show proposed Lot Lines.
 - d. Revise the public storm sewer system to show private curb inlets connecting to a public sewer main.
 - e. Sheet A1.00, a. change Phase 3 district from B-5 to B-2.
 - f. Sheet A1.00, c. identify where the 0.87 acres is used.
 - g. Sheet A1.00, j. change the independent living parking required ratio from 1/DU to 1/3DU and resulting calculations.
 - h. Sheet A1.00, identify the measurement line 500 feet from the development.
 - i. Sheet A1.00, show trash receptacles.
 - j. Sheet A1.00, add that this development plan also serves as a preliminary plat.
 - k. Sheet L1.00, state the ratio and size of landscaping required in the interior landscaping for parking lots.
 - l. Sheet L1.00, include and state the berm height and state the retaining wall height and materials for the buffer area on the entire east border as required by City Planning and Development Department staff.

Conditions 2. - 11. per City Planning & Development, Land Development Division (Brett Cox, brett.cox@kcmo.org)

2. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
3. The developer shall submit a Macro "Overall" storm drainage analysis from a Missouri-licensed civil engineer for the entire development in accordance with adopted standards to the Land Development Division for review and acceptance at the time the first plat is submitted, with a Micro "detailed" storm drainage study, including a BMP level of

- service analysis, in accordance with current adopted standards to be submitted for each phase at the time of final platting, and the developer secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
4. The developer shall verify vertical and horizontal sight distance for the drive connection to public streets and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met.
 5. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
 6. The developer submit a letter to the Land Development Division from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, to identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and base on compliance with Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate occupancy permits.
 7. The developer submit plans to Land Development Division and obtain permits to construct sidewalks along the platted frontage, for NW 88th Street, and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
 8. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
 9. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
 10. The developer must secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.

11. The developer must grant a BMP Easement to the City as required by the Land Development Division, prior to obtaining Certificate of Occupancy for any building permit.

Condition 12. per Fire Marshal's Office, John Hastings, (John.Hastings@kcmo.org)

12. That the developer provide for fire protection as required by the Fire Department.

Condition 13. per Heather Massey, Water Services Department, (Heather.Massey@kcmo.org)

13. That the developer extend water mains as required by the Water Services Department.

Conditions 14 - 17. per John Eckardt, City Development Department, (John.Eckardt@kcmo.org)

14. That within 30 days of approval of a preliminary development plan by the city council, the landowner must file with the appropriate recorder of deeds office a statement that such a plan: (1) has been filed with the city plan commission; (2) has been approved; (3) that the MPD preliminary development plan is applicable to certain specified legally-described land; and (4) that copies of the plan are on file in the city planning and development department. The statement recorded with the recorder of deeds must also specify the nature of the plan, the proposed density or intensity of land use and other pertinent information sufficient to notify any prospective purchasers or users of the land of the existence of such a plan and further include all information as required by Section 88-520-03-H.
15. That the developer contribute \$68,984.35 or at a rate of \$202.89 per unit, in lieu of parkland dedication for 340 multifamily units in satisfaction of Section 88-405-17 of the Zoning and Development Code, calculated as follows:
 - 340 MF units x 2 persons/unit x 0.006 acres/person = 4.08 acres
 - 4.08 acres x \$16,907.93 = \$68,984.35 or \$202.89 per unit.
16. That the developer submit Final development plan with the city planning and development department after approval of and before the lapse of a preliminary development plan. The site plan shall include information regarding: property uses, setback distances, lighting (photometrics plan showing zero footcandles at the property line), landscaping and architectural characteristics, berms, trees and plantings around and within the parking lots; show proposed pedestrian circulation; and include elevation drawings of buildings and signage.
17. That the developer submit a street tree planting plan to the Parks and Recreation Department for approval prior to the approval of a final plat.

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: Case No. 721-S

APPLICANT: Robert D. Long
Land Clearance for Redevelopment Authority
1100 Walnut Street, Suite 1700
Kansas City, MO 64106

OWNER: Various

LOCATION: Generally located on 92 acres bound by I-670/I-70 on the north, Bruce R Watkins Drive on the east, the KCT Railroad on the south and Oak Street on the west.

REQUESTS: Declaring an area generally bounded by I-670/I-70 on the north, Bruce R Watkins Drive on the east, the KCT Railroad on the south and Oak Street on the west to be a blighted and insanitary area in need of redevelopment and rehabilitation pursuant to the Land Clearance for Redevelopment Authority law and approving the Urban Renewal Plan for the same, said plan to be known as the East Crossroads Urban Renewal Plan. (721-S)

Mr. John Eckardt, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. Robert Long, Economic Development; explained and summarized the blight study in the east Crossroads along with a power point presentation.

Chairwoman Macy opened up the discussion to the public.

Mr. Jim Potter, they investigated the redevelopment of this site to make the finding of blight; the area is large, approximately 100 acres; he went through the statute of all elements which would be what determined "blight".

Ms. Susie Aaron, supported the project and was excited to see something to go on this site; the West Bottoms are pretty much full; expanding to the east was what would be needed now. So she was very much in support of this project.

Commissioner Crowl moved and Commissioner Burnette seconded the motion to **MAKE A RECOMMENDATION OF A FINDING OF BLIGHT AND INSANITARY CONDITIONS IN Case No. 7212** and to **APPROVE THE URBAN RENEWAL PLAN WITHOUT CONDITIONS.**

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: **Case No. 5642-SU-24**

APPLICANT: Joe Brogato
Brogoto's Auto & Truck Center, L.L. C.
2837 NE Vivion Road
Kansas City, Missouri 64119

PROPERTY OWNER 3J Properties, LLC
2837 NE Vivion Road
Kansas City, Missouri 64119

AGENT: James C. Bowers, Jr., Esq. c/o Elaine Bowers
White Goss, a Professional Corporation
4510 Belleview Avenue, Suite 300
Kansas City, Missouri 64111

LOCATION: Generally located on the southwest corner of NE Vivion Road and
N Chouteau Trafficway

AREA: About 0.8 acres

REQUEST: To consider approval of a special use permit in District B2-2
(Neighborhood Business 2-2) to allow for increased outdoor
automobile sales.

Ms. Diane Binckley Assistant Secretary, stated staff recommended continuance of this matter to the September 15, 2015 docket with one \$130.00 fee.

Chairwoman Macy opened up the discussion to the public.

Commissioner Crowl moved and Commissioner Burnette seconded the motion to **CONTINUE** this matter to the September 15, 2015 meeting date with one \$130.00 fee (Without Testimony – No Quorum Set).

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: Case No. 12034-UR-4

APPLICANT/ OWNER: Ollie Gates
O.G. Investments
4621 The Paseo
Kansas City, MO 64110

AGENT: Craig Watson
Timlis Arketekcher
4609 S. Paseo Boulevard, Suite 100
Kansas City, MO 64110

LOCATION: Generally located at the southeast corner of Troost Avenue and Emanuel Cleaver II Boulevard.

AREA: Approximately 12.2 acres

REQUESTS: To consider amending a previously approved development plan in District UR (Urban Redevelopment), to allow for the expansion of uses and other site design standards.

Mr. Olofu Agbaji, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. Craig Watson, architect for the project; agreed with the staff report and all recommendations.

Mr. George Gates, 4621 Paseo; also was in agreement with the project.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner Martin moved and Commissioner Baker-Hughes seconded the motion to **APPROVE Case No. 12034-UR-4 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That three (3) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff prior to ordinance request showing:
2. A revision to the "Apple Market" monument sign to 6'.
3. Revised use table showing all existing uses within Building 3.

4. An updated Development Data table.
5. **Conditions 2. & 3. per City Planning & Development, Development Management Division (Olofu Agbaji, Olofu.Agbaji@kcmo.org)**
6. Conditions of approval of Ordinance No. 120845 passed by City Council on October 25, 2012, remains effective for this UR development.
7. That the developer revise the Apple Market monument sign to meet the requirement of Chapter 88-445.
8. **Conditions 4. through 11. per City Planning & Development, Land Development Division (Brett Cox, brett.cox@kcmo.org)**
9. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer secure permits to construct any improvements required by the Land Development Division prior to issuance of any building permit.
10. The developer submit a letter to the Land Development Division from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, to identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and base on compliance with Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate occupancy permits.
11. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
12. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.

13. The developer must integrate into the existing street light system any relocated existing street lights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
14. The developer shall provide a cross-access easement across shared drives and parking areas between lot access drives and project access drives to public street including any parking areas that would reasonably be used, as required by the Land Development Division.
15. The developer reconstruct sidewalks, curbs and drive entrances (and associated streetscape) along the project frontage per the approved plan and where modifying the sidewalks at the drive modifications and to a tie-in point with the existing sidewalks as required by Land Development Division and meeting ADA requirements, prior to working in the right-of-way and prior to issuance of any site or building permits.
16. The owner/developer shall verify adequate capacity of the existing sewer system as required by the Land Development Division for the amended use of the property and address any inadequacies therein prior to issuance of connection authorization.

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: Case No. 14466-P-1

APPLICANT/ OWNER: William T. Mann
Green Hills Inc.
9601 NW Platte Purchase Drive
Kansas City, MO 64155

OWNER: Green Hills Inc.
9601 N Platte Purchase Rd
Kansas City, MO 64155

AGENT: Jason Robbins
Sam's Survey Co.
201 NW 72nd Street
Gladstone, MO 64118

LOCATION: Generally located at southeast corner of MO. Route 152 and N.
Green Hills Road.

AREA: Approximately 7 acres

REQUESTS: To consider approval of a development plan in District B3-3 (Community Business dash 3), to allow for 22,000 square foot office/ retail development on four (4) lots.

Ms. Diane Binckley Assistant Secretary, stated staff recommended continuance of this matter off docket without fee.

Chairwoman Macy opened up the discussion to the public.

Commissioner Crawl moved and Commissioner Martin seconded the motion to **CONTINUE** this matter **OFF DOCKET** without fee (Without Testimony – No Quorum Set).

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: a) **Case No. 13381-CUP-3**
b) **Case No. 13381-CUP-4**

APPLICANT/ OWNER: Chris Valentine
Trophy Homes, Inc.
6601-A Royal Street
Pleasant Valley, MO 64058

AGENT: Brian Forquer
Lutjen, Inc.
1301 Burlington Street, #100
N. Kansas City, MO 64116

LOCATION: Generally located at the northwest corner of NE Barry Road and N. Brighton Avenue.

AREA: About 45 & 18 acres.

ZONING: Districts R-6 & R-80 (Residential dash 6 & 80).

REQUESTS: a) **Case No. 13381-CUP-3-** To consider an amendment to an existing Chapter 80 CUP plan in District R-6, (formerly District R1b) to allow for the deletion of 18.12 acres from the plan.

- b) Case No. 13381-P-4** - To consider rezoning the 18.12 acre parcel from District R-6 to District R-1.5 (Residential dsh 1.5).

Ms. Diane Binckley Assistant Secretary, stated staff recommended continuance of this matter off docket without fee.

Chairwoman Macy opened up the discussion to the public.

Commissioner Crowl moved and Commissioner Martin seconded the motion to **CONTINUE** this matter **OFF DOCKET** without fee (Without Testimony – No Quorum Set).

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

OTHER MATTERS:

Approval of Minutes from April 7, 2015.

Commissioner Crowl moved and Commissioner Martin seconded the motion **APPROVE** the Minutes from the April 7, 2015 meeting date.

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

There being no further business, Chairwoman Macy adjourned the meeting at 4:15 p.m.

Respectfully submitted,

Diane M. Binckley, AICP
Assistant Secretary

APPROVED:

Babette Macy, Chairwoman